

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FEDERAL HOME LOAN BANK OF
BOSTON,

Case No. 1:11-cv-10952-GAO

Plaintiff,

v.

ALLY FINANCIAL INC. et al.,

Defendants.

**ASSENTED-TO MOTION FOR LEAVE TO FILE REPLY BRIEF
MEMORANDUM IN SUPPORT OF MOTION TO REMAND**

Plaintiff Federal Home Loan Bank of Boston hereby seeks leave of Court to file a Reply Brief in support of its Motion to Remand this action, as previously stipulated to by the parties. In support of its motion, Plaintiff states as follows:

1. On June 22, 2011, Plaintiff filed a motion to remand this action to State Court. Dkt. No. 113.
2. On July 1, 2011 all parties in the above-captioned action stipulated and agreed, through their undersigned counsel and subject to the Court's approval, as follows:
 - i. Defendants shall file and serve their opposition to remand on or before July 22, 2011.
 - ii. Plaintiff shall be allowed to file and serve a reply memorandum in support of its remand motion, and shall do so on or before August 5, 2011.
 - iii. By entering into this Stipulation, neither Plaintiff nor Defendants waive their rights to seek from each other or the Court additional adjournments or extensions of the applicable deadlines.
 - iv. By entering into this Stipulation, the parties do not waive, and expressly preserve, any rights, claims, or defenses, including without limitation, those

relating to jurisdiction, venue, and arbitrability, and all such rights, claims, and defenses are preserved.

Dkt. No. 118.

3. On July 22, 2011, pursuant to the terms of the above-referenced stipulation, Defendants filed a Joint Memorandum of Law in Opposition to Plaintiff's Motion to Remand. ("Opposition to Remand"). Dkt. No. 122.

4. To date, the Court has not yet entered the parties' stipulation.

5. As a result, and out of an abundance of caution, Plaintiff respectfully requests leave of Court to file a Reply Brief in support of its Motion to Remand, in accordance with the parties' above-referenced stipulation.

6. This motion has not been filed to cause delay or for any other improper purpose. The motion shall cause no prejudice to any party or to the Court's docket.

7. The Defendants have assented to the request for leave to file a reply brief, but take no position as to the length of the proposed brief.

WHEREFORE, Plaintiff respectfully requests that the Court enter the following order:

1. Plaintiff shall be granted leave to file and serve a reply memorandum in support of its remand motion, and shall do so on or before August 5, 2011.

Dated: August 5, 2011

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent via U.S. first class mail to those indicated as non-registered participants on August 5, 2011.

/s/ Lynn Lincoln Sarko

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